

## **JURY SELECTION PROCEDURE (CRIMINAL)**

There will be 12 jurors and 2 alternates. To the main jury, the defendant will have 10 peremptory challenges. The government will have 6 peremptory challenges. To the 2 alternates, the defendant will have 1 peremptory challenge and the government will have 1 peremptory challenge.

Twenty-eight jurors will be called. The “struck” jury system will be used.

The voir dire process will begin with brief statements from counsel outlining the facts that they intend to prove at trial. These statements are limited to five minutes. The statements are to summarize only that evidence that each side expects to introduce at trial.

The Court will conduct the first stage of voir dire to all 28 jurors. Counsel shall submit proposed voir dire questions in advance of trial. Counsel shall have ten minutes to conduct voir dire, subject to the limitations of the attached Memorandum filed January 3, 1996.

The Court will address challenges for cause at the bench. Counsel shall address challenges from among all of the 28 jurors. The first juror excused for cause will be replaced by juror no. 13. Subsequent excusals will be replaced by the next available jurors in turn. Excusals for cause will not be announced to the jury panel until all challenges have been exercised.

The peremptory challenge rounds will be as follows:

	MAIN JURY					
	<u>1st</u>	<u>2nd</u>	<u>3rd</u>	<u>4th</u>	<u>5th</u>	<u>6th</u>
DEF.	2	2	2	2	1	1
GOV.	1	1	1	1	1	1
	ALTERNATES					
DEF.	1					
GOV.	1					

Peremptory challenges shall be made at the bench and shall be announced to the other party. The challenged jurors will be replaced by the next available juror. Until the final jury is chosen, the jurors will not change seats or numbers, unless it becomes necessary to use additional jurors in the selection process.

If a challenge is passed, that challenge is lost; it cannot be saved to increase the number of challenges available in a subsequent round.

If there are more than 12 jurors available at the end of the peremptory challenges, the

next two jurors will become the alternates. Each party shall have the right to challenge one juror.

OPTIONAL: At the close of evidence, all 14 juror names will be placed back in the jury wheel and the Clerk will pull 2 names to be excused as alternates.